

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:12-cv-00235-MR-DLH**

RONA PERCY and STEPHEN PERCY,)

Plaintiffs,

vs.

ORDER

**BANK OF AMERICA, N.A. and
MINDY JOHNSON,**

Defendants-

THIS MATTER is before the Court *sua sponte*.

The Plaintiffs brought this action, asserting claims against Bank of America, N.A. (“Bank”) and Bank of America loan officer Mindy Johnson (“Johnson”). [Doc. 1]. When Johnson failed to answer or otherwise appear in this action, the Clerk made an entry of default against her. [Doc. 25]. The Bank appeared and defended this action, and the Court now has entered summary judgment in favor of the Bank. [See Doc. 46]. For the reasons that support the entry of summary judgment as to the Bank, the Court finds that the Plaintiffs’ claims against Johnson must be dismissed as well.

IT IS, THEREFORE, ORDERED that the Plaintiffs' action is hereby **DISMISSED** as to the Defendant Mindy Johnson.

An Amended Judgment consistent with this Order shall be entered contemporaneously herewith.

IT IS SO ORDERED.



Martin Reidinger
United States District Judge

